REMARKS

Reconsideration and allowance of the subject patent application are respectfully requested.

The specification has been amended to correct minor informalities. Entry of these amendments is respectfully requested.

Claim 8 was rejected under 35 U.S.C. Section 112, second paragraph. Claim 8 has been amended to address the issues noted in the office action and withdrawal of this rejection is respectfully requested.

Claim 17 was rejected under 35 U.S.C. Section 102(b) as allegedly being "anticipated" by Koyakata (JP 2002-185900). Claim 17 is directed to a recording server that sends playback information over a communication network when playback commands are received over the communication network. As described in the subject patent application, such a recording server can be used, among other things, to record broadcast information when an information terminal device cannot receive the broadcast information because of an incoming or outgoing call. No such arrangement is disclosed in Koyakata.

Claims 10, 24-30 and 32-46 were rejected under 35 U.S.C. Section 102(e) as allegedly being "anticipated" by Engstrom (U.S. Patent No. 7,065,333).

Claim 10 requires that the information terminal device comprises an interface configured to inquire whether a currently received broadcast signal should be recorded or not when, for example, an incoming or outgoing call is detected. Non-limiting example support for this feature can be found at page 22, line 18 et seq. No such inquiry feature is disclosed in Engstrom, who simply discloses recording the broadcast when there is a call. See, e.g., Figure 8 and the accompanying description at col. 10, lines 54-61. Consequently, Engstrom does not anticipate claim 10.

Claim 24 requires, among other things, receiving broadcast program channel information sent from a mobile communication device and sending recording command

information containing the broadcast program channel information to a program recording device. Engstrom contains no disclosure of any device that receives channel information sent from a mobile communication device and that sends recording command information containing the channel information to a program recording device. In Engstrom, the mobile device itself records the broadcast and there is no receiving of broadcast program channel information sent from a mobile communication device as claimed. Consequently, Engstrom cannot anticipate claim 24 or its dependent claims 25-30, 32-35, 45 and 46.

Engstrom does not anticipate claim 39 for reasons similar to those discussed with respect to claim 24.

Claims 40 and 41 are similar to claim 24 in that they each call for receiving channel information sent from a mobile communication device and sending command information containing the channel information to a program recording device. Consequently, Engstrom does not anticipate these claims.

Claim 36 requires detecting a cause of an interruption of the receiving of broadcast programs streamed to a mobile communication device, stopping the streaming distribution when there is an interruption in receiving, recording a position of the streaming at the interruption, and restarting the streaming distribution from the recorded position when the interruption ends. No such method is disclosed or suggested by Engstrom. Page 10 of the office action references col. 10, lines 52-67 of Engstrom in connection with the interrupting of the receiving of broadcast content. However, this portion of Engstrom clearly makes reference to interrupting the playing, not the distribution, of the broadcast content. Consequently, Engstrom does not anticipate claim 36 and its dependent claims 37 and 38.

Claim 42 distinguishes over Engstrom for reasons similar to those discussed with respect to claim 36.

Claims 43 and 44 each calls for stopping the distribution of streaming content to a mobile communication device, recording a position of the stream at the time of the

stopping, and restarting the distribution from the stopping position at a later time. As noted above in connection with claim 36, Engstrom does not contain any disclosure or suggestion of stopping content distribution and resuming at a later time. Consequently, claims 43 and 44 are not anticipated by Engstrom.

Claims 1-4, 22, 23 and 31 were rejected under 35 U.S.C. Section 103(a) as allegedly being "obvious" over Engstrom in view of Cahill (U.S. Patent No. 5,150,384).

Claim 1 requires an inquiry step for inquiring whether a broadcast signal should be recorded or not when an incoming or outgoing call is detected. As noted above with respect to claim 10, Engstrom does not disclose an inquiry as claimed. Cahill deals with fading conditions of a carrier signal and does not remedy the deficiencies of Engstrom with respect to the claimed inquiring. Consequently, the proposed combination of Engstrom and Cahill is likewise deficient in this regard.

Claims 2-4, 22 and 23 are not rendered obvious by the proposed Engstrom-Cahill combination at least because of the respective dependencies of these claims from claim 1. Moreover, Cahill does not remedy the deficiencies of Engstrom with respect to claim 24, from which claim 31 ultimately depends. Consequently, claim 31 is not made obvious by the proposed combination.

Claims 5-7 and 11-16 were rejected under 35 U.S.C. Section 103(a) as allegedly being "obvious" over Engstrom in view of Cahill, and further in view of Koyakata (JP 2002-185900).

Koyakata is added to the proposed Engstrom-Cahill combination to provide the concept of an external recording device. However, while Koyakata might perhaps suggest using a mobile device to command a recording device to record, there is nothing in any of the documents that fairly suggests using an external device to record when a mobile device cannot receive broadcast content. Consequently, the proposed combination cannot render these claims obvious.

Claims 8, 18 and 19 were rejected under 35 U.S.C. Section 103(a) as allegedly being "obvious" over Koyakata in view of Cahill.

Claim 8 is for an information terminal that transmits a command signal for recording a currently received broadcast in an external recording server when the broadcast cannot be received. Claim 18 is for a broadcast recording system including a recording server that records broadcast information when an information terminal device has a failure of receiving the broadcast information. Neither Koyakata nor Cahill, taken alone or in combination, is suggestive of recording broadcast information in a server when an information terminal cannot receive the broadcast information. Consequently, these claims (and claim 19 which depends from claim 18) are not made obvious by the proposed combination.

New claims 47-60 have been added.

New claims 47-50 depend from claims 1-4, respectively, and require that the broadcast signal be recorded in an external recording server when it is impossible to record the broadcast signal in a recording device installed in the terminal device. Non-limiting example support for this feature can be found in Figure 5 of the subject patent application and accompanying description at pages 33-37. No such feature is disclosed or suggested by the applied references.

New claim 51 is for a method in which a broadcast signal is recorded using either a manual or automatic mode when an incoming or outgoing call is detected. Non-limiting example support for this feature can be found on page 22 of the subject patent application. No such modes for recording a broadcast signal are disclosed or suggested by the applied references and thus claim 51 and it dependent claims 52-56 are believed to patentably distinguish over these references.

New claim 57 is for a method in which a broadcast signal is recorded when a terminal device fails to receive a broadcast signal. Non-limiting example support for this feature can be found in Figure 5 of the subject patent application and accompanying description at pages 33-37. No such feature is disclosed or suggested by the applied references and thus claim 57 and its dependent claim 58 are believed to patentably distinguish over these references.

New claim 59 is for an information terminal device having a manual mode and an automatic mode for recording a broadcast signal. As mentioned in the discussion of claim 51, the applied references do not disclose or suggest this feature thus claim 59 and its dependent claim 60 are believed to patentably distinguish over these references..

The pending claims are believed to be allowable and favorable office action is respectfully requested.

Respectfully submitted,

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